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8 SIEMENS INDUSTRY, INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JULIE SU, a California State Labor
Commissioner, Division of Labor
Standards Enforcement, Department of
Industrial Relations, State of California, on
behalf of the People of the State of
California,

Plaintiff,

v.

SIEMENS INDUSTRY, INC., a Foreign
Corporation; and DOES 1 to 10, Inclusive,

Defendant.

Case No. 3:12-CV-03743-JST

**STIPULATED REQUEST TO CHANGE
HEARING DATE ON PLAINTIFF'S AND
DEFENDANT'S MOTIONS FOR
SUMMARY JUDGMENT**

{PROPOSED} ORDER

Current Hearing Date: April 10, 2014
Time: 2:00 p.m.

Proposed Hearing Dates:

April 9, 2014, 2:00 pm [or]
April 10, 2014, 4:00pm

Trial Date: June 2, 2014

Defendant Siemens Industry, Inc., Plaintiff Julie Su, and Intervenor Charles Anderson hereby agree and stipulate as follows:

On February 28, 2014, both Plaintiff and Defendant filed motions for summary judgment, and both hearings are set for April 10, 2014. This was the first available hearing date under the

(NO. 3:12-CV-03743-JST)

**STIPULATED REQUEST TO CHANGE
HEARING DATE ON MOTIONS FOR
SUMMARY JUDGMENT**

1 Rules and the Court's calendar. However, at the time Defendant filed its motion, the undersigned
 2 lead counsel for Defendant neglected to realize that he had an unavoidable conflict on April 10;
 3 specifically, an all-day mediation in another matter. Counsel for Defendant diligently sought to
 4 move the mediation date, but the mediator could not accommodate any further dates for the next
 5 three months (until July) and could not find any other party to switch dates. Defendant also
 6 attempted to continue the hearing date on its motion to the next regular hearing calendar on April 17,
 7 but further settings for that date were closed; moreover, Intervenor Anderson claimed a conflict for
 8 April 17. Given that trial is set for June 2, the parties do not wish to further delay the motion beyond
 9 these dates and respectfully request that the Court accommodate counsel by specially setting the
 10 hearing. Specifically, all parties are in agreement, if the Court agrees, to have the motion heard:

11 First Choice: Wednesday April 9, 2014, before or after the Court's Case Management
 12 Calendar.

13 Second Choice: Thursday April 10, 2014, at 4:00 pm (to allow counsel for Defendant to
 14 appear following his mediation that day).

15 **SO STIPULATED.**

16 Dated: March 14, 2014

17
 18 */S/ Gregory G. Iskander*
 19 GREGORY G. ISKANDER
 LITTLER MENDELSON
 Attorneys for Defendant
 20 SIEMENS INDUSTRY, INC.

Dated: March 14, 2014

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 22 */S/ Michael L. Smith*
 23 MICHAEL L. SMITH
 Dept. of Industrial Relations
 Attorneys for Plaintiff Julie Su

Dated: March 14, 2014

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 25 */s/ Charles Anderson*
 CHARLES R. ANDERSON

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1 I, the filer of this document, attest that all other signatories listed, and on whose behalf the
2 filing is submitted, concur in the filing's content and have authorized the filing.
3
4

Dated: March 14, 2014

5 /S/ Gregory G. Iskander
6 GREGORY G. ISKANDER
7 LITTLER MENDELSON
Attorneys for Defendant
SIEMENS INDUSTRY, INC.

ORDER

8 Upon the parties' stipulation, and for good cause, it is HEREBY ORDERED that the hearing
9 on the pending Motions for Summary Judgment by Plaintiff and Defendant, currently set for April
10 10, 2014 at 2:00 pm, is moved to April 9, 2014 at 10:00 a.m.

11 **SO ORDERED.**

12 Dated: March 17, 2014

